

# HIGHLAND COUNTY.

*Chap. 68.*

## NOTICE

Whereby given, that application will be made to the Legislature of the State of New-York, at its next session, to set off the Towns of Shawangunk, Marlborough, Kattekill and Gardiner, in the County of Ulster, and the Towns of Newburgh, New-Windsor, Cornwall, Montgomery and Crawford, in the County of Orange, into a new County, to be called the County of Highland.

Nov. 11, 1858.

## STATISTICS.

<i>Population in</i>		<i>Valuation in</i>	<i>Population in</i>		<i>Valuation in</i>
1855.		1857.	1855.		1857.
Albany,	27,288	\$7,676,407	Richmond,	21,389	8,880,000
Artland,	24,575	6,180,525	Rockland,	19,511	5,511,847
Cox,	28,539	4,761,599	Schenectady,	19,572	5,888,128
Franklin,	25,477	4,407,041	Schoharie,	33,519	6,763,827
Hamilton,	23,284	4,581,294	Schuyler,	18,777	4,955,264
Kentseec,	31,034	14,894,220	Seneca,	25,358	11,169,329
Leone,	31,137	7,494,977	Steuben,	31,960	16,267,309
Milton,	2,543	549,490	Sullivan,	29,487	4,387,690
Highland,	34,852	13,975,108	Tioga,	26,962	5,919,835
Wis,	25,229	5,129,000	Tompkins,	31,516	8,831,263
Montgomery,	30,808	8,694,812	Ulster,	58,782	13,514,365
Beans,	28,435	11,206,613	Warren,	16,669	2,561,283
Orange,	35,170	15,532,450	Wyoming,	32,148	9,434,309
Ham,	13,934	5,349,967	Yates,	19,812	8,358,968

NEWBURGH:

E. M. RUTTENBER & CO., PRINTERS,

1858.





# HIGHLAND COUNTY.

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At a meeting of the citizens of Newburgh, held at Washington Hall on Friday evening last, called to discuss the expediency of forming a new County from parts of Orange and Ulster—ANDREW SAUL, Esq., was called to preside; S. J. FARWELL, Esq., appointed Vice President, and AS. JOHNSTON and R. A. SOUTHWICK, Esqs., Secretaries.

The President stated the object of the meeting, when the Hon. THOS. McKISKIM, in response to the call of the audience, addressed the Meeting nearly as follows:

MR. CHARMAN:—The subject we have to consider has been so thoroughly discussed, that all here may be supposed to be acquainted with it, and I cannot do more than present it in a new light.

Upon examination, the question divides itself into two parts:

First—Would the erection of Highland County do a wrong to others? And, secondly—Would it be advantageous to us?

Sir, the excision of five Towns from Orange would injure the residue, we should weigh the matter well, for the injury might be so great as to afford a conclusive objection to the project.

I have seen a lengthy paper in opposition to the erection of Highland County; I suppose that paper to have been written up by a man of standing in this community. He says it would be a breach of faith upon our part to leave Orange County; and he tells us that the public, as well as individuals, should observe good faith. I agree to what he says about public morals. No doctrine is more or more fatal to a State, than that promises made by individuals for the public should not be kept as sacredly as promises made for themselves. The writer does not assert that there has ever been an agreement on our part to remain in Orange County. He knows well that there never was any such; but he ingeniously says "if" there was! I say so, too. If there was, then let us observe it. In conversation, reports have been spread

that some persons made such an agreement when the Court Houses were built here and in Goshen. These reports are erroneous. I deny that any such was ever made; and I can prove it. Who authorized any such agreement? Who made it? Did any town meeting or assembly of the people do any thing of the kind? Did they ever authorize any one to do it for them? No, Sir, there is no truth in the report. The writer of the paper referred to knows there is no truth in it; and he has been careful not to assert it. But he says there was a meeting, and it was understood there that we would not go off from Orange. When was it so understood? Where was it? I ought to know the history of the matter; but I have never had any knowledge of any such understanding. But, Sir, I do know that, for many years, this subject had been discussed, and the public mind agitated upon it. Before the new public buildings were erected, the people of the back part of the county charged us with a design to get public buildings here, and then leave them. At public meetings which I attended, such design was denied—for there was none. The public buildings were required from the necessity of our case as a part of Orange. The Courts were formerly held in one of the rooms of the Academy; but we had been driven from that by the order of the Trustees. The Court House in Goshen was in so wretched a condition as to be a disgrace to the County. New buildings were then erected; and, for fifteen years, no public action was taken to dismember the county, although individuals saw and felt the burthens they bore. If fifteen years of quiet do not afford proof of good faith, I should like to hear what the author of that paper thinks of it. But, Sir, the matter does not rest upon inference or argument. There was no body nor meeting which possessed the power to give any pledge, unless it were the Board of Supervisors. At the meeting of the Board at which the erection of county buildings was debated and agreed upon, Judge Bate represented this town. It is said by some persons that he gave such a pledge. There is no truth in it. Mr. Bate had too much good sense and too much knowledge of his powers and duties to do so.



I should have been ashamed of him if he had presumed to do such a thing. Ask him if he did it. No, Sir; he told them, in distinct language, that he would do no such a thing; and he told them further, that *the division of Orange County was sure to come, and that it was only a question of time!* I say this without fear of contradiction; and I dare any man to come forward and assert the contrary. For Mr. Bate to have done as some allege, would have been the greatest conceivable absurdity. Who gave him or anybody else the power to speak for the present and the future—for us and posterity? We have borne the burthens of the connection for fifteen years, since the public buildings were erected, and the time has come when those burthens have become an abuse. If we have no right to a change now, when will we? I am glad to hear people promise to uphold the public faith. That faith requires us to do what will be for the public good.

Thirty thousand dollars were raised for public buildings; and Goshen received twenty thousand of it. She has a commodious Court House, erected fifteen years ago. She has a new fire-proof Clerk's Office and Surrogate's Office, erected, at a large expense, three or four years since, and we paid a large part of the cost. She has a Jail, and all the other buildings she will need. A change can do the people left in the old county no wrong. They will have more wealth, more people, and more public buildings than Highland county; and it is unmanly for them to try to keep us with them, that we may pay a part of their taxes.—Orange county will be left compact, and with eligible boundaries. For her people I have great respect and warm attachment; but that affords no tangible or practical reason against the measure. I may admire the goodness of the heart of the man who is affected by it; but it has no effect whatever upon my mind.—If we leave them we shall still respect and love each other. In doing it we shall break no pledge, violate no faith, sever no friendship.

Now, Sir, let us examine the other branch of this inquiry. Will the interests of our people be promoted by the change? Will public business be managed with as much economy? The affirmative of both questions is true. The territory we propose to take is so located and has such circumstances that it should be a County by itself. Its people transact their private business at Newburgh; and their interests will be promoted by enabling

them to discharge their public duties as citizens here, too. The want of such convenience to the people of the southern part of Ulster makes them eager for the change. They have no private business at Kingston; and the discharge of public business there has become a needless burthen and an abuse not to be tolerated. It is idle to talk to them of attachment and good fellowship. They feel that if Newburgh were their County seat, their welfare would be promoted; and all the poetry in the world will never convince them to the contrary. Out of the 60,000 inhabitants of Orange, Newburgh has 13,000. Is it possible the time and convenience of 13,000 people are not worthy of consideration? Why should we go twenty-five or thirty miles to attend Court? Why should the people of New Windsor, the eastern part of Montgomery, or Cornwall be obliged to go to Goshen?—We are told that now there are railroads—and that we are better off than we used to be! Is that a reason why we should not attempt further improvement?—Would not any of us prefer to transact our business at home, where our interests and families are, than to ride off thirty miles on a railroad to do it? If things are better with us than they might be, let us make them still better than they are. How can a citizen of Newburgh oppose Highland County? I have been and stand at a loss to understand for what reason any sensible, well-informed inhabitant of the town of Newburgh can be opposed to the formation of a new county. It may be that politicians have some theory on the matter which satisfies them; but for politicians have notions as strange as the dreams that pass through the heads of sleeping men—but I have yet to hear a substantial reason against it. But, Sir, if any one can give a reason for opposition, let him do so. I wish to discuss this matter fairly; and intending all possible politeness, I will wait and listen for an objection, if any body can give one.

Mr. COLUMBUS BALFE then rose and said, that he was proud of living in Orange county, because whenever he went to New York he saw the Milk carts labelled "Orange County"; and, instead of making Orange smaller and diminishing the quantity of Orange County Milk, he was in favor of increasing it.

Mr. McKISsock resumed:

Mr. Chairman: I do not defend the morality of the deceit; but I have a fear that the people of New York, or any other place, will neglect to give it any



del that will improve its sale. It is well known that much butter made elsewhere is sold in New York as Orange County butter. So much for the objection made. To resume, Sir: The fact that at Newburgh concentrates all the business of the people within the proposed limits of Highland county is conclusive evidence that this should be their county seat.—And, besides the convenience, living can be had here much cheaper than at Goshen; and, with business and working men, economy is a matter of importance. Living can be had here cheaper for the same reason that it can be in New York cheaper than here. Meals can be furnished to a large number of people at a less rate than to a small number; and the larger the place the greater the facilities for economical living.

During the term of the late Surrogate, Mr. Fowler, he held his courts in Newburgh half the time, and I understand that more than half the business before him was done in Newburgh. Now, the persons who thus brought their business to Newburgh did so for no other reason than because it suited their convenience. This is an important fact and strong evidence that Newburgh is the most convenient place of transacting such affairs as come before that officer. And the same advantage would arise in conducting all legal and municipal business.

The business of a county with half-a-dozen towns, cannot in the nature of things, be as well or as economically conducted as where there is but one place for transacting all public affairs. And, besides the former is productive of anything other than that brotherly love which is so pathetically depicted in the remembrance already referred to. Indeed, all the heart-burnings and strife between the different sections of the county of Orange is arisen from this cause.

But it is said that the expenses to manage the concerns of the new county will greatly increase the taxes on its inhabitants, and that we will have necessarily three Circuits in a year and four County Courts. But the law only requires that there shall be two of each and they will be sufficient. Besides, the expenses of a Court is a per diem expense, and undoubtedly the courts will not be held so long as now. And the expenses of the Clerks, Grand and Petit, is made up in part of mileage. This branch of the charge will be less of course in proportion to the shortness of the travel, which will be much less on the average in the new county than at present. This reduction

of mileage will also apply to the charge for officers attending court, and to that of Supervisors. I believe our Supervisors charge usually for mileage four times annually to the seat of Government.

In the new county one person will discharge the duties of both county Judge and Surrogate and thus save the salary of one. Beside the Surrogate is paid by fees, which he collects from the persons doing business before him, and not by tax. And again, a county Judge pays the fees from the business he does into the treasury; and though such fees would not, as in the case of the Surrogate, be sufficient to pay him for the services of that office, yet in the new county, owing to the location of that Judge, his fees paid into the treasury will average \$450 a year. I make this estimate from the fact that Judge Bate, while county Judge, paid about that sum annually, while the late county Judge, from his location, was able to pay into the treasury less than \$25 per annum, and the special county Judge pays some \$35. In addition to this, the new county would require no special county Judge, whose salary is \$200. And, finally I have no doubt that the new county will be able to procure an able and efficient District Attorney for \$500, instead of \$700 paid to the present Attorney. At the same time I admit that the present worthy incumbent does not receive too much for his services.

Would the erection of public buildings oppress us? Suppose we raise \$10,000, what would be the tax on our \$16,000,000 of taxable property? Not fifty cents on \$1,000! When we paid \$30,000 for our new Court-Houses, years ago, no one felt the tax, or regarded it as a burthen.

Our yearly expenses must diminish.—Now our County Charges—without the State tax, which the Supervisors refused to levy—are more than the whole taxes of Putnam County! Small counties are managed with economy. People are more careful when they are using from a small heap. Why, charges are now allowed in Orange County, which will not be tolerated in Highland County. It takes a community a long time to become adepts in snatching from the public treasury.

The session of the Board of Supervisors of Orange cost, in 1854, over \$2,000.—Even should the Supervisors of the new County sit as long, the cost will be but one half. But will they sit as long? I do not mean to say anything disrespectful of Goshen, but it is true, that we nev-



er hear complaints there of the Board sitting too long. Here we have a large commercial and mechanical business; and no one would care how soon their business was done and their session ended.—It is my belief that the saving in doing the public business here will amount to as much as the expenses of the County. The subject of taxation is very important, and one on which a free people are always very sensitive; and hence, in the present matter, all sorts of similes and comparisons are resorted to, in order to influence and alarm our citizens. Thus, a very sensible man, talking to this question, the other day, said to me with apparent exultation—will not three governments cost more than two? The answer given was the following question:—Do the municipal governments of Poughkeepsie and Newburgh cost more than that of New York? Do the governments of those and the city of Albany cost as much as that of New York? And, the other day, it was triumphantly said, in an elegant article on this question of expense, in one of our Village papers: Will not two calves drink more milk than one? The eloquent writer might, with the same force, have asked whether two fields would not yield more wheat than one! The answer to each question depends, of course, upon the size and mode of managing the thing.

The people of Ulster who wish to be united to us suffer an outrage not to be borne; but differing from what we endure only in degree. Their losses, compared with ours, are as dollars compared with cents. But we shall save in Newburgh more than enough to erect all the public buildings.

The change would enable our business men and mechanics to discharge their public duties without leaving their homes—it would increase the value of property here; and all classes would derive such substantial benefit from it that I am utterly at a loss to find any reason against the measure. The author of the paper so often mentioned says, "If the records are transcribed," &c.

If they are! "If they sky falls, we shall catch larks!" No one is in favor of transcribing the records; and there is no need of it. He says we shall have to search at two places. If we do, we shall not have to search over the same time. Judgments soon die out. For conveyances we shall search at Goshen as to the past, and here as to the future; and even that necessity for sending to Goshen will soon pass. This part of Orange for-

merly belonged to Ulster. I have gone through a pretty long professional career; and yet I have rarely had to go to search at Kingston for records of our lands. Now people have to employ counsel, at considerable cost, and endure great delay, in order to search for a deed or mortgage at Goshen. When the new county is erected, a party will go in person to the Clerk, and at an expense of a few shillings, and without any delay, learn all he desires to know.

In Montgomery, last year, many people were opposed to this measure. Now an opposition can hardly be left alive.—The people were told at one time, that Shawangunk had a great many bridges, and that they would be taxed to keep them up! At another time, it was said that Newburgh had a design to get good public buildings, and then set herself off as a County! Has the dense portion of New York separated from the county? Has Brooklyn left Kings County? Has Poughkeepsie cut loose from Dutchess? Do not Albany and Hudson still remain attached to county districts? Such a dissolution *may* take place, but there is pretty good evidence that it will not, in the fact that it never has. Newburgh will grow; her limits will expand; her corporate bounds will spread, and bring in new lands and new citizens. Our people are now ready to annex new territory but have not yet dreamed of dissolving any union that exists.

Mr. Chairman: I have now said all that time will permit in the illustration of this topic. I trust that Highland County will be a fact; and if its creation does not confer on us new benefits while it diminishes our expenses and lessens our burthens, then, Sir, let the people upbraid me as a false prophet.

At the conclusion of Mr. McKissock's remarks, THOS. GEORGE, Esq., offered the following Resolutions, which were unanimously adopted, viz:

*Resolved*, That the interests of the people of the town of Newburgh suffer from the inconvenient boundaries of the county and the location of the public offices; and that while we have warm social attachments to the inhabitants of distant towns of the county, a due regard for our rights compels us to seek a reform of what has become an abuse.

*Resolved*, That we utterly repudiate the charge that we, in person or by our representatives, ever pledged ourselves and our posterity to maintain the pres-



ent boundaries of Orange County; and that, if the charge were true, it would stultify us, and show us incompetent for the duties of citizens, of a free and progressive state.

*Resolved*, That we regret that any citizen of Newburgh should oppose the erection of Highland County without assigning some reason supported either by fact or probability,

The meeting then adjourned with three cheers for Highland County.

## REPORT OF COMMITTEE

*On the Erection and Division of Towns and Counties, on the Bill for the Erection of Highland County.*

The committee on the erection and division of towns and counties, to which was referred the bill entitled "An act for the erection of a new county from the counties of Orange and Ulster, to be called Highladd County," report the bill for the consideration of the Senate, together with the following facts as they appeared before your committee.

The counties of Orange and Ulster were organized in 1683, and ever since have been among the most important in the State. Orange extended on the Hudson river from New-Jersey to Murderer's Creek, and westerly to the Delaware river; and Ulster stretched on the Hudson from Murderer's Creek to the county of Albany, and ran westerly without any definite limits. In 1798, changes of boundary were made to meet the wants of the increasing and active population of those counties, among the most important of which were the formation of Rockland from Orange, and the annexation of the five southern towns of Ulster to Orange. No alteration has since been made in the boundaries of the latter county. It now stretches from the Hudson river on the east to New-Jersey and Pennsylvania on the west; and from Rockland on the south, to Ulster on the north. It embraces 423,608 acres, and is about thirty-seven miles long and thirty miles broad. Ulster has a front on the Hudson from

Orange to Greene, a distance of forty miles; and its western extremity is fifty miles away at the boundary of Delaware. It has about eight thousand acres more than Orange. The latter county contained a population of 57,145, and Ulster 59,384, in 1850, and they have greatly increased since then, so far as is shown by local statistics, since made.

The territory which these counties embrace, although mountainous, and often rugged, is densely populated with a wealthy, energetic, intelligent and virtuous people. Its fields reward the labors of its husbandmen with the richest returns; its mountains teem with mineral wealth, and its numerous streams are trained to man's service, and water valleys whose productions are famed in every quarter of the globe. To its mountains and its valleys cling recollections and legends which will warm American hearts, while patriotism has a home there; poetry and painting vie with each other in reproducing its landscapes of lake and river and hill.

Orange is intersected by the New-York and Erie railroad, which enters it on the south at the Rockland County line, and leaves it on the north-west at the boundary of the State of Pennsylvania. About one-third of the county is to the west of the railroad, and two-thirds to the east. Most of the produce of the towns lying contiguous to the railroad, finds its way to market by that outlet; while the northern and eastern towns send theirs to the Hudson river at Newburgh.

The Hudson Highlands commence on the west side of the river in the town of Cornwall, and extend westerly, with diminishing elevation, to the Shawangunk mountain. Across the county of Ulster a range stretches from the Shawangunk in a north-easterly direction, leaving one third of the county south of the mountains, and two thirds to the north. The Delaware and Hudson canal is built on



the western slope of that range, entering Ulster from Orange near the Erie Railroad in Deerpark, and emptying into the river at Rondout. The Wallkill, its tributary the Shawangunk Kill, and other smaller streams, drain that part of Ulster south of the mountains; and with the Murderer's and Quassaick creeks, the northern part of Orange.

The produce of that part of Ulster north of the mountains reaches market by Kingston, Rondout, Saugerties, and other places on the river and canal.—That of the south chiefly finds its way to Newburgh, while some portion is sent to New Paltz and Poughkeepie.

The roads intersecting the district composed of northern Orange and southern Ulster, all of which centre at Newburgh, are numerous and important.—There is,

1st. The Newburgh and New-Windsor turnpike running from Newburgh southerly along the river and connecting with the Cornwall turnpike, and the New Windsor and Blooming-Grove turnpike. These roads traverse the towns of Newburgh, New-Windsor, Cornwall and Blooming-Grove, and are used by them as means of access to market, together with,

2d. The Newburgh Branch of the Erie railroad, which connects with the main line at Chester, crossing the towns of Newburgh, New-Windsor, Cornwall, Blooming Grove and Chester; and

3d. The Snake Hill turnpike, which extends southwesterly from Newburgh to the New-Windsor and Blooming Grove turnpike at the Cornwall line, and connects with the Little Britain road, which traverses New-Windsor and Hamptonburgh.

4th. The Newburgh and Cohecton turnpike, which extends westerly across Montgomery and Crawford to the Sullivan county line, and thence to the Delaware river.

5th. The Newburgh and Ellenville

plank road, which passes a few miles north of the Cohecton turnpike, through the towns of Newburgh, Montgomery, Crawford and the southern part of Shawangunk, and thence to Ellenville, in Wawarsing.

6th. The Newburgh and Shawangunk plank road, which traverses the northern part of Newburgh, and the central part of Shawangunk, connecting with roads intersecting the town of Gardiner.

7th. The Newburgh and Plattekill turnpike which runs in a north-westerly direction through Newburgh and Plattekill.

8th. The Marlborough road, which runs north from Newburgh and near the Hudson river.

These roads extend to, and connect with others traversing towns beyond those mentioned.

Newburgh is thus the business centre of northern Orange and southern Ulster a large and rich district, whose trade gives that village a thrift which makes it one of the most prosperous in the State engages \$975,000 as the capital of four banks, besides about \$700,000 now deposited therein, and affords constant employment to four barges and a steamboat which yearly carry to New-York farm produce worth more than \$2,000,000, besides what finds its way by other channels. In the last year, \$350,000 worth of lumber was received at that place.—It has ten daily mails. Its post-office receives and forwards 350,000 letters annually; and five hundred, and at times, on thousand copies of daily business papers printed in New-York and Albany are distributed every morning to its citizens.—The village has three weekly newspapers and its free schools are not surpassed by any in the state.

The court house, clerk's office, and other county buildings of Orange, except a court house at Newburgh, in which the courts are held part of the time, are at Goshen, which is twenty-four miles from



Newburgh by the usually traveled route. On the other hand, the court house at Newburgh is distant forty miles from the southern and western parts of the county. The southern towns of Ulster are from 25 to 35 miles from Kingston, where all the county buildings are, with a range of mountains between, and no public conveyance from one section to the other.—Very many of the inhabitants of those towns reach Kingston by going to Newburgh, and thence north by the Hudson river railroad, crossing the river twice, and traversing two other counties to reach their own capital. A similar round-about journey has to be performed by those of the inhabitants of Cornwall living east of the mountains, whenever they have occasion to visit their county seat.

Attendance upon courts and the discharge of other public business under such circumstances, is a burden to be relieved from instead of a duty to be cheerfully performed as it should be. Besides, the public expenses are increased, while the responsibility of public officers and the influence of public opinion are diminished by such obstacles of distance and want of business intercourse. Our civil system requires the direct participation of the people in the administration of county and town affairs, and the execution of the laws, in a word, self-government. In order to secure this fully, there must be neither physical nor political obstacles to such participation; for either involves primarily, a neglect of public duties and interests, and a want of the knowledge of public affairs essential to freemen, and, eventually, a centralization of power in the hands of government, and its expensive and tyrannical exercise.

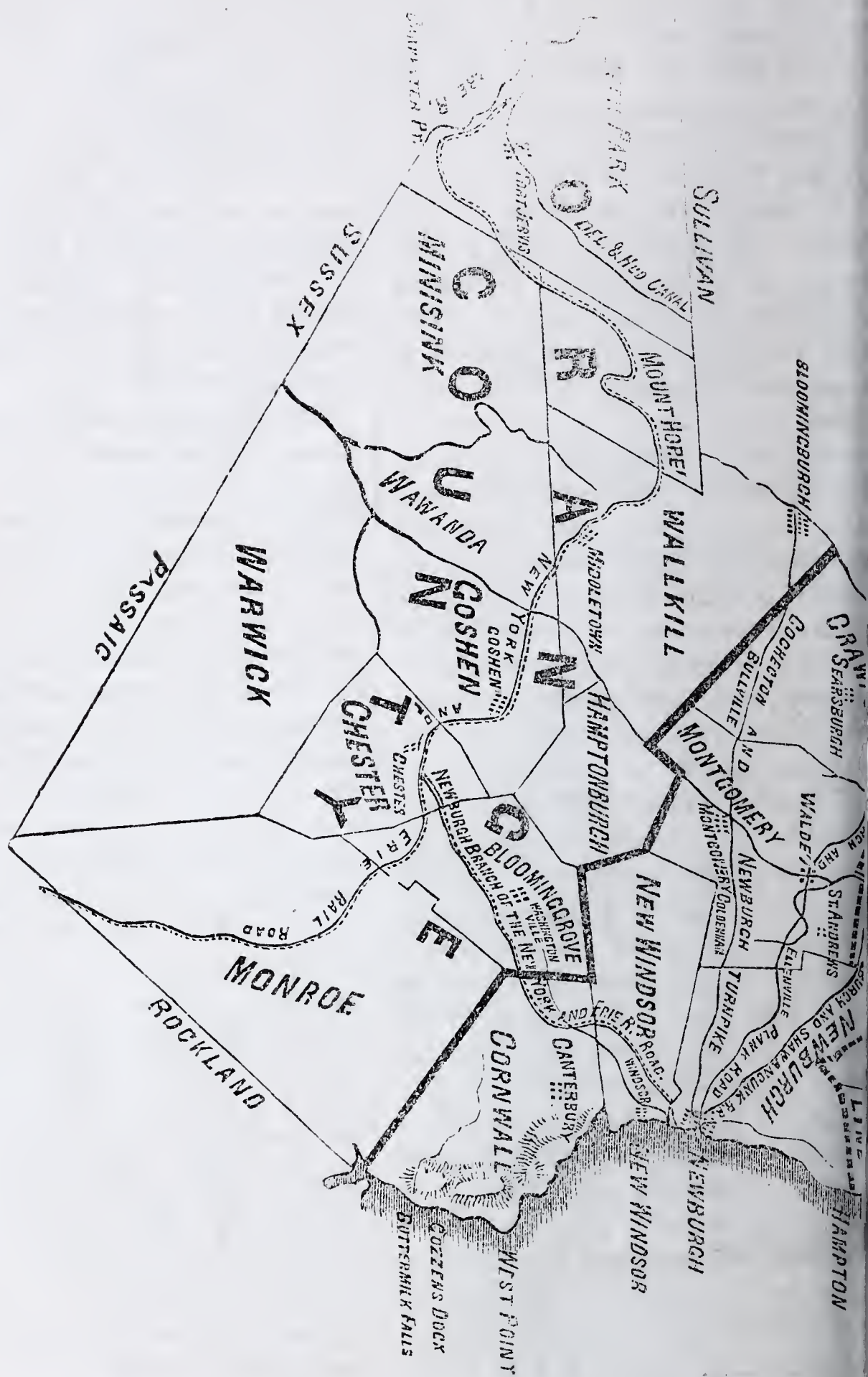
There is no freedom without self-government; and where there are obstacles to participation in the local administration, freedom is restricted and endangered to the extent that such obstacles exist. Local self-government secures wise administration; for there is always infor-

mation upon the subject involved, and each participant feels a direct personal interest therein, for he is to be the subject of his own action. Wise administration always commands ready obedience, and economical execution, for justice ever finds a response in men's minds, and an enlightened public opinion will secure the community from disregard of laws made by itself, and promote industry and attachment to the State, and its institutions, securing every citizen in the enjoyment of his personal rights and of the fruits of his labor. It brings liberty home to every man's door.

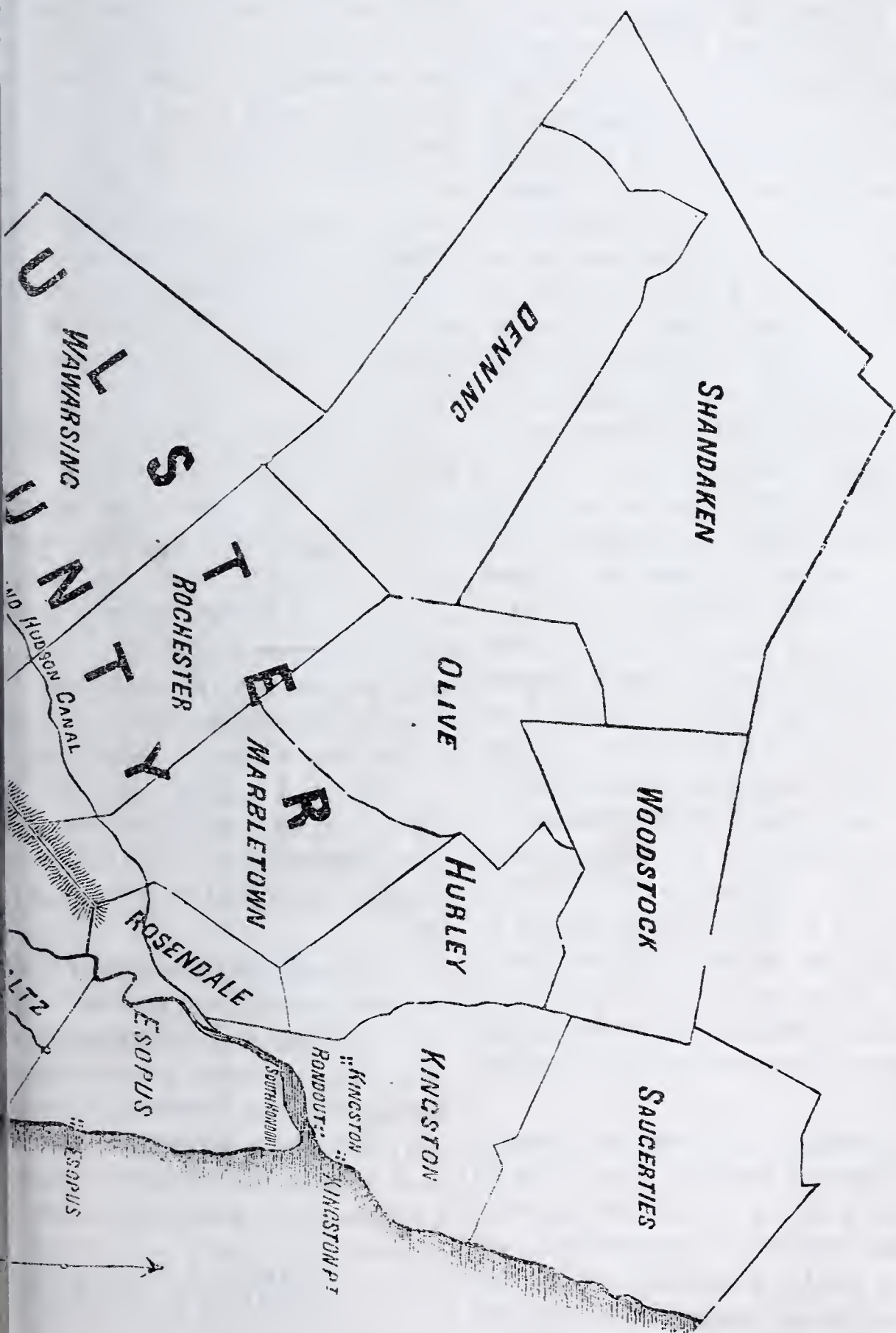
Self-government has the further advantage of being adapted to the people and their wants; for it is the reflex of their own intellect and expands and improves by silent steps with the advancement of the public mind and morals.—Abolish it by destroying town and county administration of law, or render its exercise difficult by inconvenient physical or political divisions, and a centralized government becomes inevitable; for if men will not govern themselves, somebody must do it for them; and, accordingly, liberty has never taken root in any land where there was not local self-government. On the other hand, wherever it exists, the progressive advancement of the society has been secured by actual development in equal steps with the public mind, while every right is guaranteed as soon as acquired, by making it part of the constitution and common polity of the community. Promote self-government, by such local organizations that all must in a degree participate in the administration of the government and the execution of the laws, and to that extent and more, will freedom expand and become part of the daily life of the people, and centralized power in the hands of government officials be weakened and rendered needless.

Economy is secured and waste prevented by local self-government; for those who pay the expense make the appropri-











ation and supervise the expenditure, while the immediate disbursing officers contribute to the fund and are constantly sensible of responsibility, for they are in unceasing intercourse with those to whom they are accountable.

That intelligence which is the life of liberty is secured by proper political divisions. Trial by jury is "the buttress of freedom;" and the courts are the best schools for the citizen, teaching him his rights and the best means of protecting them, and imbuing him with a respect for law and a due sense of its necessity.— But when distance or great expense lies between the home of the citizen and the court, there is danger that he will avoid through necessity or selfishness, a duty on which the rights of the whole people and the existence of free institutions in a great measure depend.

Again: the participation of the people in the administration of town and county business cultivates a respect for law and an independence of feeling which guard against anarchy on one hand and tyranny on the other. It makes a man a freeman, jealous of his own rights and ready to acknowledge the rights of others. He becomes vested with a responsibility, which is the best guaranty for the judicious execution of his trust. He is the governor of himself, exemplifying the only true sovereignty of the people, and giving to freedom an embodiment at his own hearthstone. A system which can secure such advantages should be cultivated with care, its growth promoted, and its blessings diffused.


The erection of a county out of southern Ulster and northern Orange, to be called the county of Highland, is asked by large numbers of the people of that district; and it is evident that their convenience would be promoted thereby and that of none diminished. It would contain over 300,000 acres in a compact form, and real and personal property now assessed at more than \$10,000,000 with a population of 38,000, or thereabouts,

whose interests would be identical and giving but rare occasion for conflict or jealousy. The counties of Orange and Ulster would be left in much more compact form than now, with complete county buildings in central positions. The former would have a population of about 38,000, and the latter of more than 50,000, according to the census of 1850 and later estimates. The three counties would respectively stand among the most important in the State in wealth, population and influence. Either of them would contain as many inhabitants as Tompkin, Herkimer or Delaware, and more than Genesee, Greene, Broome or Chemung, and Ulster would have thousands more than in her entirety she possessed ten years ago.

Nor could the counties of Orange and Ulster suffer from the change. Local pride and love of power might oppose it, but this an utilitarian age, when convenience is superior to fancy, and the greatest good to the greatest number the interest as well as the duty of all. Unity and fellowship are not greater virtues than enterprise and independence; and while the branches of a family have strength to go alone, and ambition to take the share of the duties of life, neither the harmony nor the welfare of either party would be promoted by resistance to the efforts.

The State at large is evidently prospering when its moral and productive population increases, and its busy marts multiply. Its duty and its interest is to afford facilities for such progress, by removing every obstacle to the just advancement of its citizens, whose thrift is its strength, and whose energy and intelligence gives it character and renown.

JAMES H. HUTCHINS.  
ROBERT A. BARNARD.

 The vote in the First Assembly District of Orange, and in the four towns of Ulster, at the last election, was almost unanimous in favor of division.



## REPORT

*of a minority of the Committee on the erection and division of towns and counties, relative to the erection of Highland County.*

Mr. Boardman, from the minority of the Committee on the Erection and Division of Towns and Counties, to whom was referred the bill entitled "An Act for the erection of a new County from the Counties of Orange and Ulster, to be called Highland County," submits the following Report :

The distribution of political power under our form of government is well understood. They are, first, the confederation of States, for the purpose of mutual defence, and the enactment of laws and the making of treaties of a general character. Second the organization of States, sovereign in all matters not delegated to the federal head. Third, the division of States into Representative and Judicial Districts and Counties; and Fourth, the division of Counties into Towns and Municipal governments, as the interests of the people may demand. All these divisions spring from and are the necessary consequence of a recognition of the right of the people to self-government, and are designed to bring home to them and protect them in the exercise of their proper functions in the direction of the affairs of government. It was from the organization of colonies first, with power to frame their own local laws, that gave rise to towns; and these towns named their own magistrates of every kind, rated themselves and levied their own taxes. From the early recognition of the rights, interests and wishes of the people, sprang the whole system of government, and on this basis it must rest.

The progress of a republican form of government in America has been controlled by the principles we have stated. The immense grants covered by the charters of Virginia, New Netherland and New England, as the arm of the hardy pioneer has leveled the forests and made

the waste places blossom under the hand of civilization, have been divided into towns and cities and counties, and organized into Territories and States, and these divisions have kept pace with the interests of the people. At every step of the progress, whenever the local necessities demanded it, the power of local self-government has been conferred, and the boundaries of local jurisdiction, circumscribed to smaller territorial limits, in order to a more full and better development of the energies and the convenience of the people. The State of New York, for example, was at first under one head, and that head the present city of New-York. This was followed by three divisions—first, New Amsterdam, embracing East Jersey and the Hudson River, as far north as the Danskammer; second, Esopus, embracing the whole country as far north as the Catskill mountains; third, Fort Orange, embracing all the remaining portions of the province. This division was followed by the organization of counties and court districts, under which the counties of Orange, Westchester, Dutchess, Ulster and Albany embraced the whole area of the present State north of New-York. The county of Orange, from the Klinkersberg to the Jersey line, was in the judicial district of New-York; Ulster county, from the Klinkersberg north of the Catskill range embraced in its judicial supervision the county of Dutchess; and Albany county ran north and west as far as European population had been extended.

It is not necessary to allude to the organization of towns and counties, or trace their successive erection farther in order to demonstrate the recognized necessity of such divisions. The fact is beyond question, that the whole policy of our system of government has been, and of right must and should be, to bring the local government and the judicial and representative districts as close to the people affected as possible. This principle is recognized by our customs and pro-



claimed by our laws ; it was the soil in which was first planted the principle of political freedom, and exists as its surest and most effectual safeguard. It breaks up centralization, destroys large political powers, throws upon small representative circles the necessity of acquiring a knowledge of the scope and powers of government, and invests the people with a responsibility which cannot otherwise be conferred. It induces a rigid scrutiny into the administration of the common interests of the people, and holds public officers to the faithful execution of their trusts ; in a word, it confers upon the people the dignity of rulers, gives them their true position in the economy of government, and leads them to appreciate their duties and responsibilities.

Assuming these positions to be correct, it becomes the duty of the Legislature to recognize the force of the principle of local self-government in any application that may be made to them for the organization of counties, when such application is the general request of the people to be affected, and when the geographical, commercial, local-legislative and judicial interests of the people are to be greatly and immediately promoted. This is the fact in regard to the application now before the Legislature for the erection of Highland county.

The erection of Highland county, embracing the towns of Marlborough, Plattekill, Shawangunk and Gardiner, in the county of Ulster, and Cornwall, New Windsor, Montgomery, Crawford and Newburgh, of the county of Orange, is asked for :

*1st, From the geographical location of the towns proposed to be embraced.*

A glance at the map of the proposed county will illustrate the force of this point. The people of the southern towns of Ulster are thrown far away from the seat of their local government, and separated from it by a mountainous range which stretches from the Shawangunk in a northerly direction, leaving one-third

of the people of the county south of the line of convenient access, and subjecting them to great distance and inconvenience of travel. So of the southern and eastern towns of Orange, whose people are subjected to like inconvenience.

*2d, From the commercial position of people.*

The produce of the southern towns of Ulster and of the north-eastern towns of Orange, reach the market through the town of Newburgh, rendering that town the commercial centre of the geographical district. To facilitate intercourse, the whole section of country has been opened by rail and plank roads, and turnpikes.

I quote from the report of the Senate Committee in 1855 :

"The Newburgh and New Windsor turnpike, running from Newburgh southerly along the river, and connecting with the Cornwall turnpike and the New Windsor and Blooming-Grove turnpikes. These roads traverse the towns of Newburgh, New Windsor, Cornwall and Blooming-Grove, and are used by them as means of access to market, together with the river."

"The Newburgh Branch of the Erie rail-road, which connects with the main line at Chester, crossing the towns of Newburgh, New Windsor, Cornwall, Blooming-Grove and Chester ; and,

"The Snake Hill turnpike, which extends southwesterly from Newburgh to the New Windsor and Blooming-Grove turnpike at the Cornwall line, and connects with the Little Britain road, which traverses New Windsor and Hamptonsburgh."

"The Newburgh and Cohecton turnpike, which extends westerly across Montgomery and Crawford to the Sullivan county line, and thence to the Delaware river."

"The Newburgh and Ellenville plank road, which passes a few miles north of the Cohecton turnpike through the towns of Newburgh, Montgomery, Crawford and the southern part of Shawangunk, and thence to Ellenville in Washington."

"The Newburgh and Shawangunk plank road, which traverses the northern part of Newburgh and the central part of Shawangunk, connecting with roads intersecting the town of Gardiner."

"The Newburgh and Plattekill turnpike, which runs in a northwesterly direction from Newburgh and Plattekill



The Marlborough road, which runs th from Newburgh and near the Hudson river.

These roads extend to and connect h others traversing towns beyond se mentioned.

Newburgh is thus the business center northern Orange and southern Ulster, arge and rich district, whose trade es that village a thrift which makes it of the most prosperous in the State; ages \$975,000 as the capital of four ks, besides about \$700,000 now de- ted therein, and affords constant em- yment to four barges and a steamboat, ch yearly carry to New-York farm lue worth more than \$2,000,000, bes- what finds its way by other chan-. In the last year \$350,000 worth of ber was received at that place. It ten daily mails. Its post-office re- es and forwards \$350,000 letters an- ly, and five hundred, and at times, thousand copies of daily business pa- printed in New-York and Albany distributed every morning to its citi-. The village has one daily and four ly newspapers, and its free schools ot surpassed by any in the State,"

*From the economical administration al government and convenience in the action of official business.*

ie geographical location and commer- interests of the people have already erer the formation of a new county sary. Whenever these two leading s demand the erection of a county ould not be denied. The erection of nty, and the location of a county at its geographical and commercial e, are the necessary accompaniment ch other. To admit (which cannot enied,) that the geographical and mercial centre is already established carry with it an admission of the sity of erecting the county asked and determine its economy. But from this fact, the people to be af- t have demonstrated to their satis- n that the erection of a new county d bring with it a reduction of actual irect expenses of local government. ter and Orange now have, respec- e, a county judge, surrogate and d judge. By a provision of the Con- tion, in Orange and Highland one of-

ficer in each would discharge the duties now performed by the three named, so that two officers would do for Orange and Highland, which now requires three for Orange alone; and 60,809 people in Orange now support three officers, while 70,000 people in Orange and Highland will have to support but two. County clerks and sheriffs are paid in fees according to the amount of service performed, which is governed by the population, wealth, business, and other circumstances, of each county. District attorneys receive a compensation fixed by the supervisors, but as these officers have private practice, their remuneration can be regulated by the amount of duty required by the public. From some towns of Orange and Ulster, suitors, jurors, witnesses and officers are now obliged to travel more than fifty miles to attend court. In Highland the travel would not exceed twenty-two miles in any case. This would occasion a saving of one-half of the mileage now paid; which saving, with the fees paid by parties to the surrogate, and to be credited to the county, would be equal, it is believed, to the salary of that officer.

The expenses for the erection of county buildings would not be large, nor the tax oppressive. The amount necessary for that purpose would be assessed at different periods. The new county of Schuyler meets its expenses, and all other town, county and State charges, at a rate of seven and three-tenth mills on the dollar, on an assessed valuation of \$4,955,246. At this rate, what would be the tax of the county of Highland, with an assessed valnation of \$14,000,000? Certainly not a larger one. A reduction of direct taxation would, of necessity, follow the erection of the new county, while that great source of grievance, the indirect taxes to which the people are now subjected, would be removed entirely.

It is not proposed to add to the expenses attending the erection of the new



county, the transcribing of the records of the old counties. The matter will be left as it now stands, and be, as it now is, a matter of individual expense, as occasion demands. The necessity for searches of the old record will in a few years cease altogether.

The objection which has been urged to the Legislature by a portion of the people of the present counties of Ulster and Orange, that the erection of Highland county would destroy the political weight and importance of those counties, should not be entertained for a moment. It is an argument which favors a monarchical rather than a republican form of government. Are counties formed for the purposes of political power? Have large counties the right to insist that they shall act as the arbitrators of the destinies and interests of smaller counties? These questions must be answered in the negative. The design in the erection of counties, independent of securing convenience for the transaction of the local official business of the people, is to distribute and equalize political or representative power, and thus secure the voice of the people in its most direct utterance. County lines are in a great measure disregarded by the State Constitution, and the principle of representative districts adopted for the very purpose of destroying the tendency to centralize power in the hands of counties.

The decentralization of political power is not confined to representative districts alone, but is extended to the most direct convenience of the people in election districts.

If this was not the fact, however, the erection of Highland county would inflict no injury upon the counties of Ulster and Orange. Those counties would still be large and wealthy and prosperous, and would have even a greater political weight than they now exercise, from the very fact that their political action would be the more immediate sentiment of the people. A glance at the map to which I have referred, will show the geographical

compactness of those counties as they would remain should Highland county be erected, and the local conveniences to their people as compared with their present position.

In point of population and valuation as shown by the returns of 1855, Orange county would have a population of 35,163, and a valuation of \$15,532,452; Ulster county would have a population of 58,689, and a valuation of \$13,554,360; and Highland county would have a population of 34,937; and a valuation of \$13,975,205. In point of wealth and population the three counties would be nearly equalized, and each would rank among the most wealthy and populous in the State—a position which they will not only continue to hold, but from which they must advance, from the advantages of location and the enterprise of the people.

This point was admirably summed up in the report submitted to the Senate in 1855, to which I have before referred, by the committee who had the subject in charge, and from which I again quote:

"The erection of a county out of southern Ulster and northern Orange, to be called the county of Highland, is asked by large numbers of the people of the district, and it is evident that *their* convenience would be promoted thereby, and that of none diminished. It would contain over 300,000 acres in a compact form, and real and personal property not assessed at more than \$16,000,000, with a population of 38,000, or thereabouts, whose interests would be identical, affording but rare occasions for conflict and jealousy. The counties of Orange and Ulster would be left in a much more compact form than now, with complete county buildings in central position. The former would have a population of about 38,000, and the latter of more than 50,000, according to the census of 1850 and later estimates. The three counties would respectively stand among the most important in the State, in wealth, population and influence. Either of the new counties would contain as many inhabitants as Tompkins, Herkimer or Delaware, and more than Genesee, Greene, Broome or Chemung; and Ulster would have the same population as she possessed ten years ago.



"Nor could the counties of Orange and Ulster suffer from the change. Local pride and love of power might oppose it; but this is an utilitarian age, when convenience is superior to fancy, and the greatest good of the greatest number, the interest as well as the duty of all. Unity and fellowship are not greater virtues than enterprize and independence; and when the branches of a family have strength to go alone and ambition to take their share of the duties of life, neither the harmony nor the welfare of either party would be promoted by resistance to their efforts."

The advantages to result to the people who ask for the erection of Highland county cannot be denied or evaded. It would require, however, considerable space to illustrate these advantages in all their bearings. The general facts are submitted to the Senate.

I therefore present a bill for the erection of Highland county, and submit the same for the consideration of the Senate.

T. BOARDMAN.

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*From the New-York Tribune.*

Notice has been given in the Legislature of this State, of a bill for the formation of a new county from parts of Ulster and Orange, and to give the city of Newburgh for the capital. The proposition is to take from Orange County the towns of Newburgh, New-Windsor, Cornwall, Montgomery and Crawford, and from Ulster the towns of Gardiner, Marlborough, Plattekill and Shawangunk, which will give to the new county a population of 34,937, and leave to Orange County 35,163, and to Ulster 58,689. The Senate Committee on "the Erection and Division of Towns and Counties" reported unanimously in favor of the project at the heel of the last session—too late for final legislative action. The newspapers and legislative journals all show that the same project was proposed a quarter of a century ago,

when the population, wealth and business of the district comprising the proposed new county, were not one-third what they are now. We understand that the movement has been regarded with favor by the mass of the people of the district ever since the question of a new county was first mooted.

The four towns from Ulster are said to be unanimously in favor of the project, and at least three-fourths of the inhabitants of the towns proposed to be taken from Orange—the only opposition coming from along the southern line of the new county, where the distance and business are about equally divided between Goshen and Newburgh. Among the reasons urged for the formation of the new County of Highland are the following: That Newburgh is the natural business or commercial centre of the territory to be embraced therein; the inhabitants do their freighting, banking, trading, etc., at Newburgh; the plank roads and turnpike roads on which the stages, market-wagons, etc., run, all centre in Newburgh. There is no way of reaching Goshen, the county seat of Orange, or Kingston, the county seat of Ulster, by public conveyance, except through Newburgh. From Shawangunk and other towns in Ulster lying south of the Shawangunk mountains, the people reach Kingston by going to Newburgh, crossing the Hudson River, and travelling thence by railroad to Rhinebeck, where they recross to Rondout, and thence by stage reach Kingston.—Thus suitors, jurors, witnesses and others, are obliged to travel over 50 miles, cross the Hudson River twice



and traverse two other counties, in order to reach their capital, while in the new county such travel would exceed 22 miles in any case. The inhabitants of the northern part of Orange take a similar roundabout way to reach Goshen. From this tax on time and money required in passing to and from their respective county seats to transact their county business, they claim that they should be relieved, as in making these unnecessary journeys they have to pass through Newburgh, which should be their capital. It is also urged that the present is the most fitting time for the erection of the county, from the fact that the new apportionment for members of the Legislature is to be made during the present session.

Judging from the facts before us, derived chiefly from the report of the committee already referred to, it would seem that there are good reasons for the action proposed. The movement will no doubt be strongly opposed by Northern Ulster and Southern Orange—more particularly by parties interested in Kingston and Goshen—although the business which could be forced from unnatural sources to those towns by continuing the present state of things would be but trifling, and if it were otherwise, we cannot see that the fact would be a sufficient justification for putting so many people to inconvenience and unnecessary expense.

With the division proposed, Ulster would still rank among the most populous in the State, while Orange and Highland would respectively be more populous than Broome, Chemung, Cortland, Genessee, Greene,

Montgomery, Orleans, Schoharie, or Wyoming, and would contain more than twice the population of Putnam, Richmond, Rockland, or Warren.—The real and personal property of Highland County, according to the census just taken, would be as follows:

Real estate,	\$9,893,288
Personal property	4,031,920—\$13,975,108
Orange Co. real,	12,057,875
Orange Co. personal,	3,474,575—\$15,532,450
Ulster Co., real,	11,448,154
Ulster Co. personal,	2,066,211—\$13,514,365

So in point of population and wealth Ulster and Orange can spare material for Highland, and still occupy important positions among their sister counties.

## Answer to Objections

RAISED TO THE HIGHLAND COUNTY BILL

1st. The bill maintains the powers and jurisdiction of the Supreme Court, Circuit Court, and Courts of Oyer and Terminer, as they now are, till next census. Of course the expenses of those Courts will be borne as if no new County were made; and these will be settled and adjusted according to the Revised Statute in the erection of new Counties.

2d. Highland will be a County for all other purposes, having their own County Courts, Courts of Sessions, and Surrogate Courts, with all her own officers.

Appeals from justices' judgments will be brought to the new County Court and appeals from its decision to the Supreme Court; there can no difficulty arise from this, as by the Code cases may be heard in the district they arise in, or in the next adjoining district.

3d. It is provided in the bill, that indictments found in the new County Court of Sessions, in offences not triable in the Sessions, shall by it be sent to the Oyer and Terminer of the County in which (as at present they are,) the offence was committed; and it also provides that the Oyer and Terminer of Ulster and Orange may send to the Sessions of the new County, all indictments triable in the Sessions for offences committed in the new County.

It is therefore believed that clashing jurisdiction can not arise, but all will be harmonious and regular.